United Nations A/AC.109/2009/4

General Assembly

Distr.: General
19 February 2009

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

American Samoa

Working paper prepared by the Secretariat

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I. General

1. American Samoa is a Non-Self-Governing Territory administered by the United States of America under the Department of the Interior, which has a representative resident on the ground.[1] The Territory is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of seven islands, namely Tutuila, Aunuu, Ofu, Olosega and Ta'u (known as the Manu'a Islands) and Swains and Rose (two coral atolls), as well as several lesser islands. The total land area is approximately 200 square kilometres, about 70 per cent of which is covered by dense forest. Tutuila, the largest island, is where the capital, Pago Pago, and one of the deepest harbours of the South Pacific are located. Tutuila Island constitutes 70 per cent of the Territory's total land area and is home to nearly 100 per cent of the population.

2. For 2008, the population of American Samoa was estimated to be between approximately 64,800 and 69,000, depending on the source, with a median age of 22.8 and an estimated sex ratio of 1.06 males per female.[2] Approximately 40 per cent of the population was under the age of 15.[3] The urban population made up about 50 per cent of the total population and the estimated net migration rate amounted to approximately -5.4 per thousand of the population.[4] Approximately 91,000 American Samoans live outside the Territory in the United States of Alaska and Hawaii and in the continental United States.[5]

3. Ethnically, the population is about 90 per cent Samoan/Polynesian. Congregationalist Protestant denominations represent the religion practised by 80 per cent of the people, and some 20 per cent are Roman Catholic. Most American Samoans are bilingual, speaking the native Polynesian tongue and English.

II. Constitutional, legal and political issues

4. It is generally believed that the Samoan archipelago was settled some 3,000 years ago by people migrating into the Pacific from South-East Asia. The Dutch were the first Europeans to find these islands, in 1722. Some settlers came to the islands in the early 1800s, followed by missionaries in 1830. By the late 1800s, internal strife among the chiefs and struggles among the colonial Powers of

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Note: The information contained in the present working paper has been derived from published sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 e of the Charter of the United Nations.

[1] Secretary's Order 2657 of 29 August 1951 and Secretary's Order 3009, as amended, of 3 November 1977, set forth the extent and nature of the authority of the Government of American Samoa and the manner in which the authority is to be exercised, available from the Electronic Library of Interior Policies, United States Department of the Interior (http://elips.doi.gov/elips/release/3421.html.

[2] Information provided by the administering Power, 9 January 2009; and United States Central Intelligence Agency, accessed at http://www.cia.gov on 18 December 2008.

[3] *Samoa News*, 5 September 2008.

[4] Secretariat of the Pacific Community "Our 2008 populations and demographic indicators" (29 May 2008).

[5] Information provided by the administering Power, 9 January 2009.

Germany, Great Britain and the United States led to a period of instability. Deeds ceding these islands to the United States from the early 1900s were accepted by an Act of Congress on 20 February 1929. Pursuant to that Act, American Samoans were given the status of American nationals. The Act provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States. As the American interest in the area had been mainly military, the Territory was placed under the jurisdiction of the United States Navy. On 29 June 1951, Executive Order 10264 of the United States President transferred administrative responsibility for the Territory to the Department of the Interior.

5. American Samoa is an "unincorporated and unorganized" Territory under United States law. Not all provisions of the United States Constitution or of United States law apply. Residents of American Samoa are not United States citizens. They are United States nationals who can freely enter the United States and work or reside anywhere they choose. Children born in the Territory to foreign parents become citizens of either the mother's or the father's country of origin, not United States nationals. American Samoans may not vote in general elections in the United States, but are permitted to participate in presidential primaries and caucuses.

6. The Constitution of American Samoa, adopted in 1960, was revised in 1967 and subsequently amended in 1970 and 1977. Any amendments or modifications to the Constitution of American Samoa (as approved by the Secretary of the Interior) may be made only by an Act of the United States Congress. In 2008, a referendum that would have revised an aspect of the Constitution was narrowly defeated (see para. 13).

7. The Territory's Constitution provides for separate executive and legislative branches and an independent judiciary. The executive branch comprises a Governor and a Lieutenant-Governor elected for four-year terms by universal adult suffrage. All American Samoans over 18 years of age are eligible to vote. The Governor is responsible for executing both American Samoan and United States laws and has veto power with respect to legislation passed by the Fono, the American Samoa Legislature.

8. In November 2008, Governor Togiola T. A. Tulafano was re-elected, as was Lieutenant-Governor Faoa Ipulasi A. Sunia. These terms of office will expire in November 2012, when the next elections are due to be held. As previously reported, in September 2007 Lieutenant-Governor Sunia was taken into custody by the United States Federal Bureau of Investigation and later released, in connection with contracts related to the Territory's Department of Education. Pending conclusive legal action, Mr. Sunia, who as previously reported entered a "not guilty" plea in federal court in Washington, D.C., continues to serve as Lieutenant-Governor.

9. The Fono is a bicameral legislature, comprised of an 18-member Senate, whose members are chosen by 14 tribal councils, and a 21-member House of Representatives, 20 of whom are elected by popular vote and one of whom is appointed as a non-voting delegate from Swains Island. Only a "matai", the traditional chief of an extended family, or "aiga", can become a senator. Senators hold office for a four-year term and representatives for a two-year term. The Fono may pass laws with respect to all local affairs, provided they are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements.

10. Since 1981, American Samoa has elected by direct vote a delegate to the United States House of Representatives for a two-year term. The delegate may vote in committees and on the floor. In November 2008, the delegate, Congressman Eni F. H. Faleomavaega, was re-elected for an eleventh consecutive two-year term.[5]

11. The judiciary system consists of the High Court, for which the Chief Justice and the Associate Justices are appointed by the United States Secretary of the Interior, and the local district and village courts, for which the judges are appointed by the Governor. The High Court is separated into Appellate, Trial, Land and Titles, and Family, Drug and Alcohol divisions.[5] The High Court has limited federal jurisdiction for certain issues, such as food safety, protection of animals, conservation, shipping issues and specific areas of maritime law.[6] Other matters of federal law arising in American Samoa are adjudicated in the United States district courts, mainly the federal courts in Hawaii and Washington, D.C.[7] Since American Samoa is not part of a United States federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court to a federal district court. In its report of 27 June 2008, the United States federal Government Accountability Office found that there was "some legal uncertainty" about the current ability of federal judges to issue search warrants for property in American Samoa because it was outside of a federal judicial court.[6] American Samoan laws are textually identical to United States laws ("mirror laws"), where all references to the United States are substituted by references to American Samoa.

12. As previously reported, the Future Political Status Study Commission was established in 2006 under the Territory's Public Law 29-6, amended by Public Law 29-24 and Public Law 29-25. The Commission's final report, written in both English and Samoan, was submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Chief Justice of the High Court on 31 December 2006. Copies of the final report were made available to the public in January 2007, including on the website of the territorial Government (http://www.americansamoa.gov). The ultimate decision on status is to be made by the people of American Samoa. Additional information on the report can be found in the working paper on American Samoa presented to the Committee in 2008 (A/AC.109/2008/3).

13. At the request of Fono leaders, a referendum was placed on the ballot for the elections held on 4 November 2008. The following question was posed to the voters of the Territory: "Should article II, section 9, of the Revised Constitution of American Samoa be revised to give the Fono, rather than the Secretary of the Interior, the power to override the Governor's veto?" The referendum was narrowly defeated, with 6,159 people voting against and 6,137 voting in favour.[5]

14. A paper provided by the Chairman of the Future Political Status Study Commission, Li'amatua Tufele, to the Pacific regional seminar convened under the auspices of the Special Committee in Bandung, Indonesia, from 14 to 16 May 2008, underlined that it was obvious from the Commission's main recommendation that the status quo per se was no longer sufficient to satisfactorily accommodate the demands of a more progressive society. At the same time, the Commission reaffirmed the basic concern of the people relative to the protection and preservation

[6] United States Government Accountability Office, "American Samoa: issues associated with potential changes to the current system for adjudicating matters of federal law" (June 2008).

[7] *Samoa News*, 30 June 2008.

of the Territory's land tenure system. Further, the Chairman stated that there was no question that American Samoa met the General Assembly's most important decolonization criteria, namely the acceptance of any political status by the majority of a Territory's people. In that connection, the paper stated that it might be necessary for the Special Committee to recommend to the Assembly to provide a new definition that would recognize as decolonized special cases like American Samoa.[8]

15. In his inaugural address on 9 January 2009, the re-elected Governor stated that in the area of governance, the next four years would be very important. The Territory had on hand the report and recommendations of the Future Political Status Study Commission, which would be laid before a constitutional convention later in the year.

III. Budget

16. As previously reported, the budget of the Government of American Samoa consists of federal support and locally generated revenue. In the Territory's traditional communal system, leaders are responsible for the preservation of the social order as well as the economic welfare of the extended family. As previously reported, American Samoa continues to be the only United States Territory that receives grants-in-aid, amounting to about $23 million per year, from the Department of the Interior for Government operations.

17. The budget of the territorial Government for the fiscal year 2009, which started on 1 October 2008, is approximately $340.9 million, as approved by the Fono.[5] In his State of the Territory address on 12 January 2009, the Governor said that the territorial Government predicted that the Territory had finished the 2008 fiscal year with a positive balance.

18. The independent firm responsible for auditing the financial accounts of the Government of American Samoa has offered a "qualified" opinion for fiscal year 2007 based on financial statements provided by the territorial Government. The auditors found that the system of financial accounting and reporting in operation for the Government for financial year 2007 "was inadequate" and they were "unable to satisfy" themselves with regard to the accuracy of physical inventory records; the balance of immigration bond deposits received and recorded; the accuracy of the beginning fund balances; and the amount due to or from other funds (pooled cash). For its part, the territorial Government reportedly has created a single audit committee to take action on the audit findings.[9]

[8] See http://www.un.org/Depts/dpi/decolonization.

[9] *Samoa News*, 27 and 29 January 2009.

IV. Economic conditions

A. General

19. American Samoa's gross domestic product (GDP) for the mid-2000s was estimated at between approximately $333.8 million[10] and $558.8 million,[11] with a per capita GDP of between $5,800[9] and $9,040,[12] depending on the source of the information. On 11 June 2008, the territorial Government asked for American Samoa to be included in all federal periodic survey services that issue information on a monthly basis, with the aim of ensuring accurate and up-to-date statistics about the Territory.[12] According to the Governor, American Samoa has tended to be overlooked in previous difficult economic times, in part because neither the Bureau of Labor Statistics of the United States Department of Labor nor the United States Census Bureau collects timely data on the territory.[13] In connection with a minimum wage impact review mandated in February 2009, the United States Congress tasked the United States Department of Labor to report on the Territory in its household surveys and establishment surveys; the Bureau of Economic Analysis of the United States Department of Commerce to report on the Territory's GDP data; and the United States Census Bureau to report on its population estimates and demographic profiles from the American Community Survey, with the same regularity and to the same extent as those entities collect and report data for the 50 States.[14]

20. According to the Governor in his state of the Territory address on 12 January 2009, American Samoa's economy remained relatively stable in 2008, but has suffered from the global economic slowdown, weak per capita domestic gross production and a low per capita income. Annual inflation at the end of 2008 was estimated at 12.2 per cent. Housing costs had gone up during the year by 17 per cent, with electricity, liquid petroleum gas, electrical appliances and household goods contributing to the increase in those costs, while the price of food went up by about 25 per cent.[15]

21. In 2008, the Governor's Economic Advisory Council began to serve as a mechanism for private sector input on economic development policies. In June 2008, the Council submitted two draft reports on economic development and policy reforms to Government officials for review and comment, for incorporation into the final reports. A third report recommending privatization of several Government departments and agencies is expected to be completed in 2009.[5]

22. As previously reported, American Samoa's economy continues to be maintained by United States federal expenditures and the canning industry. Tuna fishing and processing are the backbone of the private sector. Approximately 7 per cent of the economy comprises a small tourist sector industry and a few businesses that sell exclusively to the local market.

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[10] United States Central Intelligence Agency, http://www.cia.gov, 22 January 2009.
[11] United States Department of the Interior, Office of Insular Affairs, 1 March 2006.
[12] American Samoa, Office of the Governor, press release, 22 February 2008.
[13] *Samoa News*, 21 December 2008.
[14] Ibid., 12 February 2009.
[15] Ibid., 2 February 2009.

23. American Samoa's largest trading partner is the United States, followed by New Zealand, Australia and Fiji, as well as Indonesia and India.[16] Canned tuna accounts for almost 100 per cent of exports. American Samoa imports some 90 per cent of goods and products, including food and petroleum products, machine parts, building materials, textiles and clothing.

B. Agriculture and fisheries

24. According to media reports, 88 per cent of all farms in the Territory operate on a subsistence basis.[17] Prospects for agricultural development continue to be limited owing to the small amount of level land suitable for cultivation.

25. Farmers in American Samoa benefit from assistance provided by the Natural Resources Conservation Service of the United States Department of Agriculture and its Environmental Quality Incentives Program.[18] In addition, the Economic Development Administration of the United States Department of Commerce provided a $2.1 million grant for a new marketplace facility, called the Pago Pago commercial center, in Fagatogo, which was inaugurated in July 2008. The marketplace is expected to support the local marine, agriculture and tourism industries.[19]

26. The fishing industry constitutes some 80 per cent of the Territory's private sector economy.[20] In June 2008, the Governor's Economic Advisory Council found, as reflected in its first report, that high processing costs, due to high federal wages, operating standards and tax issues, were the main obstacle impeding the development of canneries.[21] Under the Temporary Tax Relief Act of 2007, the United States Congress provided a one-year extension of the Internal Revenue Service's section 30A tax credits for American Samoa's canneries. In October 2008, an additional two-year extension of the same tax credits was included in the Emergency Economic Stabilization Act of 2008.[5]

C. Tourism

27. American Samoa successfully hosted the 2008 Festival of Pacific Arts from 20 July to 2 August 2008. To assist American Samoa in its efforts, the United States Office of Insular Affairs provided a grant of $339,000. The funds were used for personnel, travel, marketing and promotion. Over 2,000 Pacific islanders and tourists attended the festivities.[5]

28. In 2008, 10 cruise ships with more than 16,000 passengers and crew visited American Samoa, increasing short-term seasonal employment and opportunities for sales of local arts and handicrafts. As previously reported, land-based tourism

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[16] *The New York Times*, 5 February 2009.

[17] *Samoa News*, 13 June 2008.

[18] Ibid., 11 October 2008.

[19] Ibid., 30 July 2008.

[20] United States Department of the Interior, Office of Insular Affairs, budget justification for financial year 2009, accessed at http://www.doi.gov/oia/budget.

[21] *Pacific Magazine*, 30 July 2008.

remains limited. American Samoa has several hotels and motels with a total of 260 rooms in Tutuila and Manu'a.[5]

29. On 25 April 2008, the Governor signed into law a bill establishing the American Samoa Visitor's Bureau, a semi-autonomous Government agency. The Bureau replaced the Government-operated Office of Tourism. A seven-member board to be appointed by the Governor is responsible for hiring an Executive Director for the Bureau and for reviewing general operations, policies and procedures.[5]

30. In this context, the Economic Advisory Council recommended that the Visitor's Bureau should coordinate with the private sector on tourism initiatives, identify conventions and sporting events that could be held in American Samoa and promote the cleaning of streams and of the Pago Pago harbour.[22]

D. Communications and transport

31. As previously reported, the budget for capital improvement projects of the United States Office of Insular Affairs for fiscal years 2008 and 2009 includes a total of $6 million for the Territory to assist in the connection of a fibre-optic cable to American Samoa. The project is expected to be completed in 2009.[5] The submarine fibre-optic cable project is considered to be the Territory's most significant economic development project of the past several decades and is expected to provide faster and better Internet connection, voice capability and high-volume data transfers in various areas such as telemedicine and remote distance learning.[23]

32. As previously reported, there are approximately 180 kilometres of public and primary paved roads and 235 kilometres of secondary village roads in American Samoa. The highway system is generally in poor condition owing to the effects of hurricanes, the age of the roads and inadequate maintenance. For instance, in 2008, attention was drawn to the poor road conditions in the Fagaima and Ottoville areas, which had suffered from substantial rainfall, causing continuous flooding and deterioration of the roads.[24] According to the administering Power, various infrastructure projects were under way during 2008, including the resurfacing of the Avau-airport junction; the Vatia shoreline protection project, the Aoa, Iliili, Masefau, Taputimu, Fagatogo-Pago Pago and Aua-Afono-Fagaitua roadworks, as well as the Fagasa landslide restoration and drainage projects and the Bay Area road project.[5]

33. Pago Pago harbour is an all-weather deep-draught harbour, one of the best natural deep-water harbours in the South Pacific Ocean, and is of strategic importance in the region. The main dock is 1,000 feet long, handling ships of up to a 32-foot draught. Pago Pago harbour provides the full complement of equipment and facilities and has a ship repair facility with a 3,000-ton marine railway.

34. There are four airports in the Territory, situated on the islands of Tutuila, Ofu, Olosega and Ta'u. Pago Pago International Airport is owned and operated by the

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[22] American Samoa, Economic Advisory Council, "A focused collaborative approach to economic development" (June 2008), accessed at http://americansamoa.gov/fcaed.pdf.

[23] American Samoa, Government weekly newsletter, 28 May 2008.

[24] *Samoa News*, 11 June 2008.

territorial Government. The Territory's main airport is regularly served by a number of airlines that link American Samoa with Hawaii and the United States mainland and other countries in the South Pacific. Within the Territory, Inter-Island Airways flies regularly to the islands of Ofu, Olosega and Ta'u. In July 2008, a private company began providing passenger and cargo services between the Territory and Samoa with an average of three flights a week.

35. The Territory has four radio stations; a Government-owned and a privately owned television station, three privately owned newspapers and a private company offering telecommunications services. Internet access is provided by the American Samoa Telecommunications Authority, a semi-autonomous Government agency.

E. Water, sanitation system and utilities

36. The American Samoa Power Authority, which is Government-owned, provides water, wastewater, solid-waste and electric services to customers on five of the seven islands. The Authority provides drinking water to 90 per cent of the Territory from wells, with the remaining part being serviced by outer-village systems. According to the administrating Power, the Power Authority continued to provide reliable and cost-effective utility services for the Territory.[5] The Authority has been awarded a grant of $1.4 million from the United States Environmental Protection Agency to connect the outlying villages of Fagali'i, Malota and Fagamalo to the public water system. The project will enable the Authority to supply potable water to the western-most villages, which have not yet met the standards of the United States Safe Drinking Water Act. With the completion of this federally funded project, all of Tutuila will be served with potable water supplied by the Authority.[25]

37. In October 2008, the Department of the Interior awarded the Power Authority a technical assistance grant of $250,000 to fund a waste composition study at its Futiga landfill, a vital component of the Authority's plans to establish, among other things, an energy-from-waste facility.[26] Moreover, earlier in the year, American Samoa embarked on a relationship with a private energy solutions company and the University of Hawaii Pacific Business Center Program, to pursue alternative energy, renewable energy, sustainable practices and environmentally friendly technologies, methods and practices that can be applied and implemented in American Samoa with a view to reducing dependence on carbon-based fuels.[23]

V. Social conditions

A. General

38. Long before the 1700s, when the Western world first came to know of the Samoan Islands, their inhabitants practised a way of life that had been handed down through the generations for more than 2,000 years. Known as "fa'asamoa", the Samoan way of life is based on the notion of mutual respect and sharing among the "aiga" or extended families, each featuring a common allegiance to a matai, and influences every aspect of the Territory's socio-economic fabric. As mentioned in

[25] Radio New Zealand International, 28 December 2008.

[26] *Samoa News*, 21 October 2008.

section III of the present working paper, the traditional communal system prevalent in American Samoa is considered to contribute to preserving the Territory's social cohesion and promoting economic welfare. At times a matai succession is challenged, involving the Lands and Titles Division of the High Court, as was the case in 2008, involving families on Aunuu.[27]

39. In 2008, the Territory's legislature was working on further strengthening the use of the Samoan language for classroom instruction in public schools, in tandem with English.[28]

B. Labour and immigration

40. Statistics presented in the 2005 American Samoa household income and expenditure final narrative report, submitted to the Department of the Interior on 29 December 2008, stated that about 23,650 persons 16 years of age and over were in the labour force. A total of 21,290 were employed, with about one third of them aliens, including from Samoa. Around 2,360 were unemployed, bringing the unemployment rate to 10 per cent.

41. Previously, minimum wages in the Territory were set every two years by the recommendation of the Special Industry Committee, appointed by the United States Department of Labor. On 25 May 2007, the United States President signed into law a provision that raised the American Samoa minimum wage by 50 cents for all industry classifications (Public Law 110-28), with an automatic increase, or escalator clauses, of 50 cents per hour every year until 2014. The first increase was implemented when the law took effect on 24 July 2007. A second increase took effect in May 2008. Hourly wages for Government employees are $3.91; fisheries $4.26; shipping and transportation $5.09; retail and wholesaling, and warehousing $4.10; and tourism and travel services $4.48.[5]

42. Public Law 110-28 also called for the United States Department of Labor to complete, not later than 25 January 2008, a study of the likely impact of the wage increases on the Territory. As previously reported, upon the release of the study in January 2008, Congressman Faleomavaega and local leaders stated that the Department's report clearly showed that automatic increases would be harmful to the economy of American Samoa. Throughout 2008, including at congressional hearings held by the United States House of Representatives Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, in February 2008, concerns were expressed regarding increased labour costs and the continued minimum wage escalator clause and the impact it had already had and is expected to have on the business community if additional increases were not suspended.[5] In February 2009, the United States Congress mandated the Government Accountability Office to report on the impact of past and future minimum wage increases.[29]

43. As previously reported, the Office of Insular Affairs awarded to the Government of American Samoa a grant to conduct a labour pool survey. The report, completed in June 2008, found that at prevailing wage rates, a new venture in the

[27] Ibid., 3 July and 29 August 2008.

[28] Ibid., 23 August; and *Samoa Observer*, 7 October 2008.

[29] *Samoa News*, 12 and 19 February 2009.

knowledge industry, such as a call centre operation, could find from between 1,500 to approximately 2,000 qualified available workers that currently reside in the Territory.[30]

44. American Samoa has its own immigration laws and entry conditions into the Territory by foreigners are not the same as those applicable for the United States. In 2003, a new Immigration Law of American Samoa came into force, giving the Attorney General, instead of a Government-appointed board, full authority over granting eligibility. That change allowed many individuals who had resided in the Territory for a long period to acquire permanent resident status (see A/AC.109/2007/15).

C. Education

45. Education in American Samoa is compulsory from 6 to 18 years of age. The educational system is broadly based on that of the United States. As previously reported, there are approximately 200 schools in the Territory. American Samoa's Department of Education provides elementary, secondary, vocational, special education and early childhood education services. According to reports in the media, during 2008 the Department had 472 teaching personnel in elementary education, 191 teaching personnel in secondary education, 18 teaching personnel in vocational education, 202 teachers in special education, and 118 teaching personnel in early childhood education.[31]

46. The American Samoa Community College offers two-year degree courses in arts and sciences and certificate programmes of proficiency in vocational and clerical skills, business and nursing. It affords enrolled students scholarship and financial aid opportunities. San Diego State University offers bachelor and master degree programmes in Tutuila, which enable students to obtain an advanced college degree without moving from the Territory. American Samoa has a literacy rate of approximately 97 per cent.

47. According to the territorial Government, the American Samoa Community College has been awarded a $300,000 grant for a one-year period from the College Access Challenge Grant Program under the United States Department of Education. The grant will offer student loan repayment for borrowers employed in high-need professions such as teachers and nurses.[32]

48. As previously reported, on 14 January 2008 the territorial Government announced that it was sending to the Fono a proposal for a teacher reclassification bill. The Government expressed its hope and intent that teachers in the Territory would be paid fair value for the service they provided. On 9 June 2008, the Governor signed the Teacher Reclassification Bill, which raised salaries for public schoolteachers. The law went into effect in July 2008 and benefited about 400 public schoolteachers with their first pay rise in more than a decade.[33]

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[30] *Pacific Magazine*, 18 March 2008.

[31] *Samoa News*, 6 February 2009.

[32] American Samoa, Government weekly newsletter, 21 January 2009.

[33] American Samoa, Office of the Governor press release 5 June 2008; *Honolulu Advertiser*, 10 June 2008; and Radio New Zealand International, 23 July 2008.

D. Public health

49. The 2008 estimate for life expectancy in the Territory was approximately 76 years, 73 for males and 80 for females. Per 1,000 of the population, the annual birth rate was estimated at approximately 21, and the annual death rate at approximately 3. As previously reported, the fertility rate was estimated at three children per woman.

50. 2008 saw an outbreak of dengue fever in American Samoa, with a recorded number of 667 cases. While there were only 11 cases recorded between January and June, a peak was reached in November, when 224 cases were recorded. A total of 96 cases were confirmed in December, while at the end of January 2009, the number of confirmed dengue cases stood at 80, representing a continuing downward trend. Health officials expect this decline to continue as the territorial Government pursues the dengue fever prevention and eradication campaign launched in December and with people now successfully treating themselves at home.[34]

51. According to reports in the media, during 2007 over 6,779 low-income pregnant, breastfeeding and non-breastfeeding postpartum women and children up to the age of five who were found to be at nutritional risk, received supplemental food, health-care referrals and nutrition education.[35] In October 2008, statistics cited by the Territory's First Lady indicated that one in every three young people in high school had had at least one alcoholic drink in the previous three days; one in five young males engaged in binge drinking; and one half of young males had been involved in a physical fight in the previous 12 months. Underage drinking had also led to an increase in school violence, aggression, bullying, teen depression and sometimes suicide. In fact, the First Lady pointed out, up to 30 per cent or almost one third of American Samoa's children were drinking before age 13 or by the time they reached the eighth grade.[36]

52. The main, semi-autonomous public hospital in the Territory, the Lyndon Baines Johnson Tropical Medical Center, has 150 beds and a staff of 25 physicians. Medical, dental and pharmaceutical services in the Territory are available 24 hours a day. In his state of the Territory address on 12 January 2009, the Governor announced that, dispensaries had been established in Ta'u and Ofu, providing services to the Manu'a Islands. As previously reported, off-island treatment is provided for serious cases including hospitalization in Hawaii, on the United States mainland or in New Zealand. On 9 October 2008, independent auditors gave an "unqualified" opinion on the Medical Center's audit of fiscal year 2007 (the standard "unqualified" report is regarded as a clean bill of health, wherein the auditor made no exceptions and inserted no qualifications in the report).[37]

E. Crime and the judiciary system

53. According to reports in the media, sexual abuse of minors is increasing every year in the Territory, with the vast majority of cases said to take place within families. The head of American Samoa's criminal investigation bureau has said that

[34] *Samoa News*, 6 February 2009.
[35] Ibid., 6 June 2008.
[36] Ibid., 15 October 2008.
[37] Ibid., 9 October 2008.

up to 90 per cent of child sex abuse cases in the Territory went unreported in 2007.[38] With regard to substance abuse, during the two-day American Samoa Youth Summit held in October 2008, Judge John L. Ward II said that the single biggest threat American Samoa had faced in the past two years was drug abuse.[39]

54. On judicial matters, as reported above, the Government Accountability Office conducted a comprehensive review of the judiciary system in American Samoa. In its report issued in June 2008 entitled "American Samoa: issues associated with potential changes to the current system for adjudicating matters of federal law", for which several federal agencies provided information, the Office identified three principal scenarios for the legal system in the Territory: establishing a federal district court pursuant to provisions of the United States Constitution; establishing a federal district court that would be a division of the federal court in Hawaii; or expanding the federal jurisdiction of the High Court of American Samoa.[6] At the same time, the report indicated that one argument against changing the current judiciary system in American Samoa was the concern that a federal court would possibly impinge upon local culture and traditions, as well as the rights and property of the American Samoan people.[40] After reviewing the report, Congressman Faleomavaega stated that the report was incomplete as it did not provide adequate cost and comparative analyses.[5]

55. In September 2008, the United States House of Representatives Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on the Government Accountability Office report with written statements by Chief Justice F. Michael Kruse, Governor Togiola Tulafono, Senate President Lolo M. Moliga, House Speaker Savali Talavou Ale, and the representative of the United States Department of the Interior.[41] Chief Justice Kruse said a simple solution for consideration would be to have Congress or the Department of the Interior establish a federal prosecutor's office in the Territory to prosecute all criminal activity under either local or federal statutes, pursuant to applicable local procedures in the High Court. Governor Togiola emphasized that the protection of the matai and land tenure system was paramount. The Fono leaders supported continuing the present system; however, if federal intervention was inevitable, they recommended expanding the High Court's jurisdiction to hear federal cases. The acting director of the Office of Insular Affairs of the Department of the Interior said that the Department had no objection to a system that would more efficiently consider issues of federal law relating to American Samoa.[38]

VI. Environmental protection and disaster preparedness

56. The American Samoa Environmental Protection Agency is wholly funded by the United States Environmental Protection Agency (region 9) through a consolidated environmental program grant awarded by fiscal year budget period. In 2008, the consolidated grant consisted of the following categories of grant funding: Clean Water Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, Clean Air Act, Federal Fungicide, Insecticide and Rodenticide Act and Beach

[38] *Atlantic Free Press*, 4 July 2008.
[39] *Samoa News*, 21 October 2008.
[40] Ibid., 2 July 2008.
[41] Ibid., 21 July 2008.

Grant Act. To be eligible to receive this funding, the American Samoa Protection Agency must meet specific environmental and technical mandates as set forth in United States Environmental Protection Agency law and regulations. The mission of the American Samoa Environmental Protection Agency is to protect human health and to safeguard the natural environment: air, water and land.[42]

57. Under the 1906 United States American Antiquities Act, on 6 January 2009 the administering Power established the Rose Atoll Marine National Monument in American Samoa, which encompasses 13,451 square miles designated as off-limits to commercial fishing and mineral exploration. Rose Atoll is a nesting spot for endangered green sea turtles and a stopover for several species of migratory birds.[43]

58. In terms of disaster preparedness, American Samoa has been allocated $1.85 million in federal grants from the United States Department of Homeland Security under the State Homeland Security Grant Program, which is aimed at enhancing local capabilities through planning, equipment, training and exercise activities. However, the funds cannot be used until the freeze on homeland security funds is lifted. The freeze followed an audit by the Office of the Inspector General of the Department of Homeland Security, in which several discrepancies were found in the way that the funds had been expended in previous years. The freeze has also halted the multimillion dollar Pago Pago stream renovation project, for which a grant was awarded some two years ago. The funding for that project came from the Federal Emergency Management Agency, which is now a bureau of the Department of Homeland Security.[44]

59. In October 2008, American Samoa participated in a Pacific-wide tsunami alert simulation, called the "Exercise Pacific Wave 08", sponsored by the United Nations Educational, Scientific and Culture Organization and the United States National Oceanic and Atmospheric Administration.[45]

VII. Relations with international organizations and partners

60. American Samoa has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988. International labour conventions and recommendations are applicable to it. The Territory belongs to various regional bodies of the United Nations system, including the World Health Organization (WHO), for which it falls under the Regional Office for the Western Pacific and the Western Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies.

61. American Samoa is a member of several regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme, the South Pacific Applied Geoscience

[42] Website of the Government of American Samoa accessed at http://www.americansamoa.gov/departments/agencies/epa.htm on 6 February 2009.

[43] Radio New Zealand International, 13 May 2008; *Samoa News*, 29 August 2008; and http://www.doi.gov/oia/press/2009/01062009.html.

[44] *Samoa News*, 28 July 2008.

[45] Ibid., 23 October 2008.

Commission and the Council of Pacific Arts. It also belongs to United States organizations, such as the National and Western Governors' Conferences. The Government of American Samoa has signed memorandums of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

62. As previously reported, in 2006 American Samoa withdrew its application to join the Pacific Islands Forum for observer status following opposition from the United States Department of State. No information on progress was reported on American Samoa joining the Forum as an associate member in 2008.

63. American Samoa is a member of the Secretariat of the Pacific Community.

VIII. Future status of the Territory

A. Position of the territorial Government

64. Section II of the present working paper reflects recent developments in American Samoa concerning its future political status.

B. Position of the administering Power

65. In a letter dated 2 November 2006 addressed to Congressman Faleomavaega, the United States Assistant Secretary of State for Legislative Affairs set forth the position of the Government of the United States on the status of American Samoa and other United States Insular Areas, which was considered equally valid for 2008. In his letter, the Assistant Secretary indicated that the status of the Insular Areas regarding their political relations with the federal Government was an internal United States issue, and not one that came under the purview of the Special Committee. The letter also noted that the Special Committee had no authority to alter in any way the relationship between the United States and those Territories and no mandate to engage the United States in negotiations on their status. The letter further stated that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to the economic, social and educational conditions, the federal Government did submit annual updates on United States Territories to the Special Committee as a demonstration of United States cooperation as an administering Power and to correct any errors in information that the Special Committee might have received from other sources.

C. Action by the General Assembly

66. On 5 December 2008, the General Assembly adopted, without a vote, resolutions 63/108 A and B, based on the report of the Special Committee transmitted to the General Assembly (A/63/23) and its subsequent consideration by the Special Political and Decolonization Committee (Fourth Committee) (see A/63/408). Section I of resolution 63/108 B concerns American Samoa. Under that section's operative paragraphs, the General Assembly:

1. *Welcomes* the work of the territorial Government and legislature with regard to the recommendations made by the Future Political Status Study Commission in preparation for a constitutional convention addressing issues related to the future status of American Samoa;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested.

United Nations A/AC.109/2009/5

General Assembly

Distr.: General
23 February 2009

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

St. Helena

Working paper prepared by the Secretariat

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I. General

1. St. Helena, which is a Non-Self-Governing Territory administered by the United Kingdom of Great Britain and Northern Ireland, consists of the island of St. Helena and two dependencies: the island of Ascension and a group of small islands forming the dependency of Tristan da Cunha.

2. Situated in the South Atlantic Ocean, approximately 1,900 kilometres from Angola and 2,900 kilometres from Brazil, St. Helena is a small island of volcanic origin. The island, where Jamestown, the capital, is located, is the largest of the islands of the Territory, with an area of 122 square kilometres. Ascension lies 1,200 kilometres to the north-west of St. Helena, and Tristan da Cunha and the other small islands are approximately 2,400 kilometres to the south of St. Helena. The Territory comprises a total land area of 412 square kilometres. The islands enjoy a tropical climate tempered by trade winds that blow throughout the year. They have distinctive flora and fauna, with many rare or endangered species.

3. The uninhabited island of St. Helena was discovered in 1502 by the Portuguese navigator Juan da Nova. In 1633 the Netherlands claimed the island but did not occupy it. In the wake of a charter from the Lord Protector of Britain in 1657, later consolidated by a Royal Charter issued by King George II in 1661, the British East India Company proceeded in 1658 to colonize and fortify the island, which was subsequently settled by the English. Slaves were brought from Africa, Madagascar and the Far East. Chinese and some Indian indentured labourers were brought to work on the island. Napoleon Bonaparte was exiled to St. Helena from 1815 until his death in 1821. St. Helena became a British Crown Colony in 1834.

4. The inhabitants of St. Helena are known as "Saints" or "St. Helenians".[1] A population census conducted in February 2008 counted the provisional de facto population at 4,084, compared to 5,010 in 1998. Following the reintroduction of granting of British citizenship to Saints in 2002, the island experienced an exodus.[1] While it is difficult to forecast future population trends, it is likely that the high emigration rate has ended for the most part, as most people desiring to leave have already done so, while the population in the age groups most likely to leave has been depleted. However, it should be noted that emigration is likely to escalate once more if economic growth flowing from anticipated access by air does not materialize. Another problem facing St. Helena is that the majority of Saints returning to settle on the islands are of retirement age, thus exacerbating the already heavily skewed age profile of the population. Approximately 18 per cent of the population resides in Jamestown. English is the official language of St. Helena.[1]

II. Constitutional, legal and political developments

5. The St. Helena Constitution Order of 1988, which entered into force on 1 January 1989, replaced the 1967 Constitution of St. Helena and dependencies. Under the 1988 Constitution, the Governor and Commander-in-Chief, who is

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Note: The information contained in the present paper has been derived from published sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations.

[1] Information provided by the administering Power, 13 January 2009.

appointed by the United Kingdom Government, administers the Territory. The Governor is assisted by an Executive Council and a Legislative Council. Mr. Andrew Gurr took up his appointment as the Governor and Commander-in-Chief of St. Helena and its dependencies on 11 November 2007.

6. The Legislative Council comprises the Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council, which is presided over by the Governor, consists of the ex officio members and five of the elected members of the Legislative Council. Although a member of the Legislative Council and the Executive Council, the Attorney General has no vote in either body.

7. Elections are held by secret ballot, at intervals of not more than four years, by universal suffrage for those aged 18 years and over. While two political parties exist, they have been inactive since 1976 and elections are held on a non-partisan basis. The last general elections were held on 31 August 2005, when 12 candidates representing two constituencies were elected to the Legislative Council. The next election is scheduled for sometime in 2009.

8. The Constitution of St. Helena provides for the separation of the judiciary from the Government. The legal system comprises a Court of Appeal, a Supreme Court and a Magistrates' Court, with a final appeal procedure lying open to the Privy Council of the United Kingdom. Local legislation is generally applied. However, where no local legislation has been enacted, the laws of the United Kingdom are applied to the extent applicable to local circumstances.

9. St. Helenians may hold British passports and may work anywhere within the European Union, having regained their right to British citizenship under the British Overseas Territories Act of May 2002. Those citizenship rights had been previously taken away by the British Nationality Act of January 1983.

10. Extensive negotiations and public consultations in relation to constitutional reform and modernization have been carried out in St. Helena since 2001, in pursuit of a system of government that would give more responsibility to locally elected representatives.

11. With the help of an independent constitutional adviser, a final draft constitution was completed in 2004. The new constitution proposed three main changes to the existing constitutional system in St. Helena: government by reference to partnership values; new guarantees of fundamental human rights; and a two-tier ministerial form of government.[2]

12. A consultative poll was held on 25 May 2005 on St. Helena to determine whether St. Helenians wanted to adopt a ministerial form of Government. St. Helenians who voted in the consultative poll rejected the proposal by 52.7 per cent against 47.3 per cent in favour. The proposal of a new ministerial system of government was particularly controversial, whereas the human rights chapter and the partnership values declaration received more public support.[3] Members of the Legislative Council resolved to continue constitutional reform by incorporating, as

[2] Further details on the proposed constitutional changes are contained in the 2005 working paper (A/AC.109/2005/14, paras. 11-25) and the 2007 working paper (A/AC.109/2007/14, paras. 12-16).

[3] See *St. Helena Herald*, available from www.news.co.sh.

far as legally practicable, the popular changes into the framework of the existing Constitution and working to streamline the current Government.

13. Consultations with elected councillors, senior officials, interest groups and the public took place during 2007 and 2008, and a new draft constitution was published for the purpose of further public consultation in St. Helena and its dependencies in June 2008. It is in large part a modified version of the draft constitution prepared in 2003-2005, but in deference to the result of the consultative poll in St. Helena conducted in May 2005, the draft does not provide for a system of ministerial government. The draft looks at the possibility of modernizing the Constitution by introducing a section on human rights, allowing greater local flexibility in the number and functions of Council Committees and reinforcing principles of good governance, such as the impartiality of the judiciary and the public service, and sound financial management. At the time of writing, those discussions were still ongoing.

III. Budget

14. A shrinking tax base, partly owing to migration and an ageing population, has meant that St. Helena is heavily dependent on the United Kingdom and other external sources for funding. Budgetary support from the United Kingdom is used to meet essential public services and to subsidize the dedicated shipping service of the Territory. Much of the capital investment in the Territory is funded through the Department for International Development (DFID) and the European Union (EU).

15. According to information provided by the administering Power, total budgetary aid, development assistance and shipping support from the United Kingdom Government was £18.076 million for the 2008/09 fiscal year, compared to £16.153 million during the previous period, an 11.9 per cent increase. The current three-year 2007-2010 aid package was approved in 2007, following a visit to St. Helena by DFID representatives. Later that same year, the St. Helena Government published a three-year sustainable development plan through 2010, focusing on planned social and economic development for the period leading up to the then-anticipated opening of the airport. (In December 2008, however, the British Government announced a pause in negotiations over the contract for constructing an airport for St. Helena) (see paras. 28-33 below).

16. It was agreed that the plan, which sets out a broad development strategy, would serve as a three-year rolling framework to move the aid package forward, and would be reviewed every two years. The plan is based on six previously agreed strategic objectives: improved access; improved standard of education; the development of a sustainable and vibrant economy; the development of a healthy community in a safe environment; the promotion and development of a sustainable workforce; and the continuing development and establishment of democratic rights, human rights and self-determination of the people.

IV. Economic conditions

A. General

17. The economy of St. Helena depends largely on financial assistance from the United Kingdom, which makes up about 70 per cent of annual budgetary revenues. The local population earns income from fishing, raising livestock and selling handicrafts.[4]

18. According to information provided by the administering Power, the first phase of a public sector modernization programme, which is being funded by DFID, has been completed, and the inception report has been endorsed in principle by St. Helena's Executive Council. That enabled the drafting of a project memorandum for submission to DFID to secure funding for the second phase of the programme, slated to commence in the first quarter of 2009.

B. Development projects

19. St. Helena is also eligible to receive funds from the European Union, as mentioned earlier. Funding in the amount of €17.79 million under the ninth European Development Fund was released in 2006 for an extensive programme of infrastructure improvements relating to sea access on St. Helena and its dependencies, which has been fully implemented. St. Helena's territorial allocation from the tenth European Development Fund is €16.63 million. St. Helena submitted its detailed bid for funding in January 2009, asking for development of a safer landing facility (including breakwater, slipway and sheltered landing area) and improved sea defences in James Bay. The money will also be applied towards major road rehabilitation and the establishment of a preventive road maintenance programme. Ascension Island will benefit from road upgrading, and funds will be awarded to Tristan da Cunha for further harbour improvements, investigation of alternative energy potential, upgrading of water, waste management and electricity distribution infrastructure, and capacity-building related to the management of the lobster processing plant.[3]

20. Development aid from DFID within the current three-year framework, to support a number of projects were £1.850 million in 2007/2008; and £1.591 million in 2008/2009 (see A/AC.109/2008/6, para. 24). In addition, DFID is funding a major infrastructure review that has enabled a comprehensive plan to be developed that identifies St. Helena's infrastructure requirements over the next 10 to 20 years (see paras. 28-33 below).

21. In March 2008, a disaster management capability review was undertaken at St. Helena by a disaster risk reduction advisor and a British Foreign and Commonwealth Office Advisor. The biggest hazards for the Territory were discussed, such as rockfalls in and around Jamestown and sea rescues, both inshore and offshore. The Review for St. Helena is an advisory service that is fully funded by DFID.[3]

[4] The World Factbook, available from www.cia.gov.

C. Agriculture and fisheries

22. Fisheries are an important sector in St. Helena's economy. In 2004, two St. Helenian fishing vessels developed the capacity to fish beyond the 12-mile inshore waters of the island's 200-mile exclusive economic zone. However, in February 2006, one of these vessels broke its anchor and ran aground. Owing to the limited lifting facilities available on the island, the vessel could not be taken out of the water or shipped offshore for repairs and therefore had to be disposed of by sinking. As for the second vessel, it failed to meet the safety certification as required by the Marine Consultants in June 2006, and remains restricted from carrying out offshore operations until the necessary safety measures have been implemented. There are a total of 34 fishing boats with commercial licences. The local fishermen sell their catch to the St. Helena Fisheries Corporation. Fish purchases for the first half of the financial year 2007/08 increased to 392.6 metric tons from 309 during the previous period. The volume of fish exported increased to 191.5 metric tons from 150.5. There has been no take-up of foreign fishing licences since the 2006/07 financial year, although those licences have in the past contributed up to 20 per cent of all local revenue.[1]

23. St. Helena has developed a reputation for the high quality of its coffee and fish. St. Helena's product is considered one of the finest premium coffees in the world. Its wild fish were the first to receive organic certification from the Soil Association, the United Kingdom's leading campaigning and certification organization for organic food and farming. In April 2008, the St. Helena Development Agency sought international accreditation from the Marine Stewardship Council for St. Helena fish to be sold in overseas markets. This accreditation is awarded for sustainable and environmentally responsible fishing.[5] Bids from two companies have been received for evaluation.

24. With regard to farming, in August 2005 a drip irrigation project was completed, and to date, a total of 111 farmers are connected to St. Helena's new irrigation system. A new agricultural improvement scheme became effective in June 2008, which replaced all previous policy schemes offered by the Agriculture and Natural Resources Department. The scheme provides grants for pig housing and pasture improvements and subsidies for the purchase of herbicides. It is anticipated that it will extend to grants for livestock housing and pasture management in future years.[3]

D. Transport, communications and utilities

1. General

25. Access to St. Helena is provided by the RMS *St. Helena*, which serves St. Helena, Ascension, Walvis Bay, Namibia and Cape Town, South Africa. The nearest airstrip is located on Ascension. Plans to construct an international airport on St. Helena have recently been put on hold (see paras. 28-33 below). Prior to that, the airport was expected to become operational by 2011-2012. At that point, the United Kingdom Government would have withdrawn its subsidy from the

[5] See www.saintheleña.gov.sh.

RMS *St. Helena*, leaving it to the St. Helena Government to decide whether to retain the vessel in service.

26. St. Helena's only port, Jamestown, provides good anchorage, although the building of a breakwater would allow passengers of large cruise vessels to come ashore in all types of weather. One of the activities proposed by St. Helena for the tenth European Development Fund relates to safer landing facilities at Jamestown wharf. It was hoped that the construction of a jetty in Rupert's Bay in connection with air access development would enable the separation of cargo and passenger operations in the future, with the latter being transferred largely to Rupert's Bay.

27. St. Helena has approximately 122 kilometres of surfaced roads and 20 kilometres of earth roads. Further to the work carried out in 2006 and 2007, a considerable amount of roadwork was undertaken during 2008, which included resurfacing 4 kilometres of major and secondary roads, patching 25 kilometres of road, cleaning 60 kilometres of road verges, installing/building 180 metres of safety railing and 450 square metres of retaining walls. Three district and two community roads were also completed during this period. A public transport system run by the St. Helena Government has been in operation since 2003.

2. Airport

28. As previously mentioned, following extended consultation between the Government of St. Helena and DFID, it was announced in March 2005 that the Department would provide funding for the construction of an international airport on St. Helena (see A/AC.109/2008/6, para. 31). That agreement was subject to satisfactory bids for a contract covering the design, building and operation of the airport, as well as a rigorous environmental impact assessment. A tender process in mid-2006 failed to deliver a successful contract, but as a result of a revised tender issued later that year, two bids were received. The cost of undertaking the airport project was not disclosed, as DFID considered disclosure of cost estimates prejudicial to the competitive tender process.

29. The formal application for development permission for the airport was submitted to the Executive Council in May 2008 following an additional period of public information that included public meetings and displays. In October 2008, Impregilo S.P.A. of Milan, Italy, was selected as the preferred bidder. On 8 December 2008, however, DFID announced that the British Treasury and DFID were in continuing discussions about issues of concern regarding access to St. Helena and, as a result, there would be a pause in negotiations over the airport contract.[1]

30. The St. Helena Government, the local private sector and the public have all been actively preparing for an airport since the United Kingdom ministerial announcement in March 2005, which was generally, welcomed in the Territory, although some Saints had expressed concern about the environmental impact on the island. The proposed airport would have been located on Prosperous Bay Plain on the eastern side of the island, with a 2,250 metre-long runway, sufficient to support the landing of long-haul jet aircrafts.[6] The airport had been expected to service 7,000 passengers (including 1,500 tourists) in the first year and 15,000 passengers (including 8,000 tourists) within five years.

[6] See *St. Helena Independent*.

31. In response to the announcement of a pause in negotiations over the airport, the Governor expressed concern that the pause would set back the development of St. Helena and the hopes of reducing dependency on its administering Power. The St. Helena Development Agency, which has been actively working with potential investors, both local residents and those from elsewhere, existing small businesses and sole traders, expressed concern in regard to the business community, including recently returning St. Helenians, who have chosen to invest in St. Helena on the expectation of an airport being constructed. As the only means of access to St. Helena is by sea, the construction of an airport has been judged by feasibility studies to be necessary to enable the island to expand the local tourism market and stimulate economic development, which could lead to a reversal in population decline.[6]

32. According to information provided by the administering Power, the island's planning and thinking for the past seven years have focused on air access, and the 2007 Sustainable Development Plan was predicated on air access. Elected members of the Legislative Council are now concerned that uncertainty over the airport will cause disillusionment and increased depopulation. Prevailing islander sentiment is that the future is bleak without air access. The pause in negotiations over the St. Helena Airport contract is likely to have both immediate and longer-term economic consequences for the island since the positive sentiment created by the prospect of air access is eroding. This will likely have an adverse demographic impact, as more Saints decide to leave the island and fewer choose to return, and could discourage investment by entities not on the island. Both of those aspects had been improving since the 2005 announcement to fund the construction of an international airport. In the longer term, a prolonged pause will be likely to lead to increased dependency on aid funding, as key skills need to be met from expensive expatriate sources, a replacement for the Royal Mail Ship *St. Helena* will become necessary and the development of a viable tourism-based industry will be delayed. Prior feasibility work had suggested that with air access, St. Helena may have graduated from United Kingdom financial assistance around 2030.[3]

33. In late January 2009, Governor Gurr started an intense series of meetings with Government officials in London in an effort to unfreeze the airport project. The Governor, in his reporting back to the St. Helena public, said that the reason hinted at as being behind the pause was the world economic situation.[7] Mr. Gurr also conveyed that an airport on a small island in the South Atlantic was not seen in London as a priority. In a meeting with the DFID Minister with specific responsibilities for the Overseas Territories, Mike Foster, he was told that DFID did not know how long the pause would last, and could give no indication of what would be required to bring it to an end.[3]

3. Communications

34. In January 2008, broadband Internet access was introduced on St. Helena, and a total of 402 connections had been made at the end of December 2008.

[7] DFID, Volume IV, Issue 4, 12 December 2008, available from http://www.sthelena.se/news/www.saint.fm_Independent_20081212.pdf.

4. Utilities

35. Under DFID-funded projects, work is under way to upgrade and extend the island's electricity distribution system, and additional wind turbines were installed in July 2008.[3] St. Helena's wastewater systems are also being upgraded. In August 2008, councillors reported that any house connected to utilities was liable to pay a standing charge whether or not its residents were availing themselves of those utilities. The St. Helena Advisory Group supported that decision, given that the maintenance of the grid, whether water, electricity or phone, carried basic costs.[3]

E. Banking and credit

36. In December 2008, new ordinances on financial services and money-laundering came into force. The bills aim to ensure that St. Helena complies with international obligations, while safeguarding St. Helenians from fraudulent financial service providers.[1]

F. Tourism

37. The St. Helena Tourist Office and the island's 10-year tourism strategy, which took effect in January 2007, focus on four essential elements: planning, investment, delivering quality tourist services and promotion, in efforts to market St. Helena as a tourist destination. However, the recent pause on the airport decision will have a significant impact on projections for tourism potential.

38. In 2007, a total of 2,110 passengers from cruise ships landed on St. Helena. If the airport becomes operational, St. Helena will encourage more visits from cruise ships by emphasizing that the airport will facilitate passengers leaving or joining a cruise at the island.[8] The possibility for developing sport fishing tourism is also good on the island.

39. In June 2008, the St. Helena Leisure Company (Shelco) presented architectural plans for a tourism resort with a new 18-hole golf course (which would be the island's second golf course). The plans also addressed issues relating to the environment and to training and employment of Saints in the Territory. In 2005, Shelco announced that it planned to invest £40 million in the Territory, including in the construction of the resort, and its land purchase was given approval in July 2007. It is not yet known how the announced pause in the airport construction might affect those plans.

40. In June 2008, the territorial Government met two developers of boutique hotels who had expressed interest in either building or renovating existing buildings to create small but very luxurious accommodations; again, given that those projects were being designed to coincide with the opening of the airport, their future is unclear.[9]

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[8] St. Helena investment and tourism policies, Government of St. Helena, November 2006.

[9] See www.sartma.com.

V. Social conditions

A. General

41. Measured by international norms, St. Helena is a middle-income country with few signs of real material poverty. This is largely the result of the all-encompassing Government safety net, which guarantees everyone a minimum standard of living, and to social networks, which encourage the distribution of income among kin, most notably in the form of remittances.

42. The ageing population of the Territory, with 25 per cent of the island over 65 years of age, has created an increasing need for substantial investment in a new elderly care programme that includes sheltered housing and an elderly community care complex. A new community care complex, Her Royal Highness the Princess Royal Community Care Centre, was opened on 27 September 2008. The aim of the new care centre is to bring that service under one roof instead of at the three current locations on the island. The centre will provide residential care for 40 people, with four beds reserved for people able to live at home and requiring day care only.[3] There are currently 681 elderly people in the Territory who live on social benefits.

43. A new Child Welfare Ordinance was enacted on 18 December 2008 and brought into force in January 2009. The new legislation will change the strategic management structure for safeguarding children and young people on St. Helena. New policies and procedures have been developed and used in principle for child protection and safeguarding the welfare of children. The new legislation will fulfil St. Helena's obligation under the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.

44. The Executive Council approved a new health and social services strategy for St. Helena in January 2009, entitled "Focusing on the future", which will guide the Public Health and Social Services Department until 2012. DFID has agreed to inject almost £2 million into the project, subject to the achievement of certain milestones throughout its implementation. The investment will allow staff in the department to focus on the six key areas that form the backbone of health and social care services on the island. The areas are: helping the population to be and to stay healthy; delivering high quality primary and community care; striving for the best possible clinical services; supporting children, older people and others who are vulnerable; sustaining a strong and effective infrastructure; and developing and improving systems and services within the Public Health and Social Services Department.[3]

45. There is one general hospital in Jamestown, one psychiatric hospital and six health clinics serving people living in rural areas. In addition, two units cater to patients with behavioural problems and learning disabilities. Statistics of chronic health conditions affecting the population are diabetes, 14 per cent; hypertension, 31.5 per cent; cancer, 2 per cent; and asthma, 6 per cent.[1]

B. Employment

46. The public sector remains the dominant employer in St. Helena. The St. Helena Government has been looking at standards of practice in employment in anticipation of the economic changes that were expected to ensue from the planned airport. In the Government's view, an employment policy, setting out minimum

standards for employment contracts with a built-in measure of protection for local enterprises and organizations, would support local sustainable development. During the period under review, four minimum rights and protection policies have been drafted for consideration by the Executive Council, following extensive public consultation. The draft policies, which will inform the drafting of legislation in due course, comprise a written statement of particulars; provision for working time regulations; entitlement to unpaid parental leave and unpaid leave to care for dependants; and, provisions for a minimum wage.[1]

47. In 2003 the Government launched a policy addressing long-term unemployment, under which the Employment and Social Security Department has been working closely with the unemployed to identify their training needs. The training is considered successful as the number of people on the Community Work scheme has been reduced from 176 in 2003, when the policy was introduced, to 36 people at the end of 2008.

48. Offshore employment has steadily increased and, with it, remittances to the Territory. Approximately a quarter of the island's workforce is employed on Ascension, in the Falkland Islands or in the United Kingdom. Remittances passing through the Government of St. Helena Finance Department during 2006/07 amounted to £967,810, but this does not necessarily represent the total for that year, since direct transfers can be made to the Bank of St. Helena.

49. As virtually all contracts for offshore employment are for unaccompanied workers, a significant social burden results, owing to the dislocation of families. In addition, the loss of trained staff to better-paid offshore employment makes it necessary to bring in more expatriate workers, in particular nurses and teachers. The St. Helena strategic review for the period from 2000 to 2010 showed that remittances from offshore workers were not sustainable and spelled out serious consequences if people were not put at the centre of development, stating that no community could prosper if its biggest export was its people.[5]

50. The St. Helena Public Service Association came into existence in April 2005, its main goal being to aid, assist and promote the welfare and well-being of its membership. The Association is similar to a workers' union and represents the interests of St. Helena Government employees.[5] According to the administering Power, a new scheme of service was introduced at the beginning of 2008 for the public management cadre of the Public Service. The scheme includes conditions of entry into the cadre and ways in which promotion may be achieved at different levels. It also sets out the objectives of the cadre, the duties and standards applicable to each grade and the in-service training programmes at key levels.

51. In September 2008, the Public Service Orders were replaced by a code of management, which is underpinned by a set of detailed policies and procedures governing all aspects of employment relationships between the St. Helena and its employees, with improved terms and conditions of service.

C. Education

52. Education is compulsory and free for children between 5 and 16 years of age. According to the administering Power, there are currently four schools in operation, including three all-through primary and one secondary school for students aged 11

to 18 years. Post-compulsory-aged students opt for either United Kingdom-accredited academic or vocational courses.[10]

53. The Education Department is continuously addressing staff attrition issues, falling pupil rolls and enabling the greater use of existing resources in order to continue to improve educational standards. Retaining qualified, experienced staff continues to be a challenge. Since 2007, overseas territories citizens have qualified for the home student fee rate at English universities.

54. In May 2008, a new education bill was presented to the Executive Council and submitted for public consultation. The bill is aimed at modernizing the Education Ordinance of 1989 and improving the legal framework for providing suitable education to children. The bill also raised the compulsory schooling age from 15 to 16 years.

D. Environment

55. St. Helena has an environmental conservation programme aimed at preserving endangered species and the diversity of habitats, which are an important part of the heritage of the Territory and could potentially increase tourism. In September 2001, the United Kingdom and its territories adopted a set of environment charters setting out for the first time their mutual responsibilities regarding the environment. According to the administering Power, the St. Helena Government actively pursues compliance with its commitments under the Environment Charter but resource constraints have impeded progress in some areas.

56. In March 2008, the Overseas Territories Environment Programme of the Government of the United Kingdom approved two projects for St. Helena, supporting critical species recovery and horticultural needs. On Ascension Island, it approved an endemic plant conservation plan. In Tristan da Cunha, efforts will focus on the control of alien mice and plants at Gough Island World Heritage Site.

57. In October 2008, the Overseas Territories Environment Programme supported a small project implemented by the St. Helena National Trust to enable the islanders to conserve the island's wirebird.

58. In January 2008 construction was begun on rockfall protection measures for the cliff above Jamestown wharf, to reduce the risk to people on the wharf as well as to the buildings occupying the wharf. The British Foreign and Commonwealth Office agreed to provide £300,000 to assist St. Helena in a programme of protection after a rockfall occurred on 14 August 2008.[3]

VI. Relations with international organizations and partners

59. As a Non-Self-Governing Territory of the United Kingdom, St. Helena, Ascension Island and Tristan da Cunha are associated with, but not part of, the European Union.

[10] See www.princeandrew.edu.sh.

VII. Dependencies of St. Helena

A. Ascension

1. General

60. Ascension was discovered by the Portuguese in 1501 and "found" again on Ascension Day in 1503 by Alphonse d'Albuquerque, who named the uninhabited island. Ascension covers an area of 90 square kilometres and is of volcanic origin.

61. In 1815, when Napoleon was a prisoner on St. Helena, a small British naval garrison was stationed on Ascension. The island remained under Admiralty supervision until 1922, when it was made a dependency of St. Helena. From then until 1964, the island was managed by the Eastern Telegraph Company (renamed Cable and Wireless in 1934). In 1964, in view of the plans to establish British Broadcasting Corporation (BBC) and Composite Signal Organization stations, an Administrator was appointed. During the Second World War, the United States Government built the Wideawake airstrip on the island. In 1957, a United States Air Force presence was re-established and the airstrip and ancillary facilities enlarged. It is now the south-east tracking station for the United States Air Force Eastern Test Proving Ground. In 1982, it became the intermediate stop for Royal Air Force flights to and from the Falkland Islands. In 2003, British and United States officials signed the Wideawake Agreement, which opened up the airstrip to civilian charter traffic. The Agreement was extended for a five-year period in 2008.

2. Constitutional and political status

62. In March 2007, the elected Councillors on the Ascension Island Council resigned. An attempt to hold a general election was made on 1 May 2007, but only two persons came forward as candidates. In the light of that, and to enable an assessment of the democratic system on the island to be undertaken, the Island Council Ordinance was suspended in May 2007, for one year. At the conclusion of the suspension, it is intended to hold a further general election. Meanwhile, an Advisory Group was appointed to advise the Governor on policy. In addition, public consultations were held to seek the views of and to encourage the people on the island to participate in the democratic process.

63. Governor Gurr made an official visit to Ascension Island in January 2008, and held a number of meetings, including with representatives of major organizations, to ensure that the environment on Ascension continued to be conducive to their operations, since the organizations provide vital job opportunities for the Saints residing there.[11] During his visit, the Governor was informed that people on Ascension did not believe that they had had sufficient time to consider the island's future and that the suspension of the Island Council Ordinance should be extended for a further six months. Following the extension, an election was held on 14 October and a new Island Council elected. The Island Council was sworn in by the Governor on 27 October 2008.[1]

64. The provisions in the new draft constitution for St. Helena (see section II above) relating to its application to Ascension and Tristan da Cunha largely reflect changes envisaged in 2003-2005. At the current stage, they are very provisional and

[11] See www.fco.gov.uk.

will require further consideration and consultation on both islands. According to media reports, the biggest change would be in the relationship between the three islands, as Ascension and Tristan da Cunha would no longer be known as "dependencies". They would be referred to by name, and the three islands would form one Overseas Territory with a joint Governor and Attorney General, but each would have its own elected Council.[3]

65. In September 2008, the United Kingdom submitted a claim to the United Nations Commission for the Limits of the Continental Shelf, in respect of Ascension Island, for a continental shelf area beyond 200 nautical miles, in accordance with the provision set out in article 76 of the United Nations Convention on the Law of the Sea.[3]

3. Economic and social conditions

66. A joint meeting between the Foreign and Commonwealth Office/Ministry of Defence team and the Ascension Island Council was held in 2005. The meeting, which was chaired by then-Governor Michael Clancy, addressed the much-debated issue of right of abode and property ownership on Ascension. The final decision on the issue was reached in January 2006, when the United Kingdom Government decided that permanent right of abode and property ownership would not be granted. One of the main concerns for the United Kingdom Government was the tax liabilities that could fall on British taxpayers.[3] Following his visit, Governor Gurr addressed the issue in June 2008, noting the difficulty of investing in something one doesn't own. He further indicated that, while not widely welcomed, the issues surrounding abode and ownership were understood and generally accepted as an inevitable "given" in the present socio-economic equation.[9] Legislation underpinning a land and business policy was enacted in June 2008. According to the administering Power, the legislation introduces a clear and transparent means of determining the allocation and use of land and provides a framework for the operation of businesses on the island.

67. With regard to funding provided by the European Union, please see paragraph 19 above.

B. Tristan da Cunha

1. General

68. The dependency of Tristan da Cunha is composed of four islands: the main island, Tristan da Cunha; Gough; Inaccessible; and Nightingale. Tristan da Cunha, a round volcanic island with an area of 98 square kilometres, is the most remote inhabited island in the world. Its closest neighbours are St. Helena, 2,334 kilometres to the north, and Cape Town, South Africa, 2,778 kilometres to the east. The only settlement on the island is the capital, Edinburgh of the Seven Seas. A team of South African meteorologists live on Gough. Inaccessible and Nightingale are uninhabited.

69. Tristan da Cunha's entire population was evacuated to the United Kingdom for a period of 18 months when the volcano last erupted in 1961, but returned in 1963. Following a series of earth tremors in the summer of 2004, the British Geological Survey was engaged to monitor seismic activity, and provide regular reports, with a

view to evacuation preparedness. The DFID-administered contract with the Survey ended in 2006 and was not renewed.

70. As at December 2004, the population of Tristan da Cunha consisted of 275 people divided into approximately 100 households.

2. Constitutional and political status

71. Executive authority for Tristan da Cunha is exercised by the Governor of St. Helena and its Dependencies. A resident Administrator is appointed by the Governor and is responsible to him. The Administrator is advised by an Island Council, led by the Chief Islander and comprising eight elected members (including at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote. According to information provided by the administering Power, Tristan da Cunha was not consulted during the 2005/2006 constitutional debate on St. Helena, but is being actively consulted about the current proposals for constitutional reform, whereby the Governor would continue to have legislative authority for Tristan da Cunha, but for the first time would be constitutionally required to consult the Island Council before making any laws (see para. 64 above).

72. Tristan da Cunha has its own legislation, but St. Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. As a last resort, the laws of England and Wales apply. There is one full-time police officer and two special constables. The Administrator also serves as the Magistrate.

3. Economic and social conditions

73. Tristan da Cunha's economy is based on traditional subsistence farming and fishing. Earnings from the commercial Tristan da Cunha rock lobster industry, and the sale of postage stamps, coins and souvenirs, are used to fund health, education and other government services. Islanders also supplement their income by providing accommodation and guided tours to infrequent visitors and from the sale of handicrafts, please see paragraph 19, above.

74. Good fisheries management has improved lobster stocks, and the annual quota is gradually increasing. But because the product is sold in United States dollars, movements in the exchange rate together with rising oil prices have reduced income.

75. In February 2008, the lobster processing plant on the island was destroyed in a fire. Combined with the collapse of the island's main cargo crane in April 2008, the incident had a serious impact on the economy of the island and on employment. A new crane was sourced and installed by early January 2009 and is now fully operational. A new plant is now being built and is due for completion in March 2009.

76. Access to Tristan da Cunha is only possible by sea. Presently the harbour is in a poor state of repair and can only be used when weather and sea conditions are suitable, with cruise ships often unable to land passengers. Any further deterioration in the condition of the harbour may also have implications for the fishing industry, which relies on 30 to 70 fishing days per annum for additional income and food. Accordingly, DFID funding paid for a consultant to carry out a study of harbour

rehabilitation, and a joint DFID/Foreign and Commonwealth Office/Ministry of Defence saw seven Royal Engineers arrive in early 2008 on a reconnaissance study, followed shortly thereafter by 50 Royal Engineers to undertake repairs.[3] The first phase of the repair work was successfully completed. Phase two, reinforcing the existing structures, will be completed in early 2009.[1]

77. Even when it is fully refurbished, the harbour will not be deep enough for visiting ships, so they must anchor offshore and offload passengers and cargo via small boats and rafts, weather permitting. That, along with sheer remoteness and a lack of developed amenities, severely limits the potential for tourism income. However, a handful of passing cruise ships do attempt to offload passengers each year. A tourism committee was formed in 2008 to work to improve opportunities for maximizing income from tourism. Plans for online sales of souvenirs in 2009 are also under way.[1]

78. Access is mainly provided by two fishing vessels operated by the South African company Ovenstone, which holds the fishing concession for Tristan da Cunha lobster, and by the SS *Aghulas*, a South African research vessel which services their weather station on Gough Island. Between them they visit Tristan da Cunha eight or nine times a year, operating a passenger and freight service. The journey between Cape Town and Tristan da Cunha usually takes from five to seven days.

79. Tristan da Cunha is now enjoying excellent telecommunications with the outside world, following the installation of an improved telephone network early in 2007. Calls to and from United Kingdom and elsewhere cost little more than one pence a minute. An Internet café offers islanders easy access to the Internet.[34]

80. According to information provided by the administering Power, over the last decade Tristan da Cunha has spent substantially more than it has earned, leading to a drain on its reserves. Other contributory issues are inexperience in financial management and poor communication with London. Rising fuel prices and offshore medical treatment have also exacerbated the problem. In 2008, however, the trend was reversed and the result was a modest surplus. This is encouraging in the short term, but will not be sustainable without further economic reform and assistance. Notable reforms introduced in 2008 to achieve that included enforced redundancy of all Government staff of pensionable age; increased community charges for Government service; introduction of medical charges and income tax; improved management of key contracts and department budgets; and increased retail margins. During 2009, training in budget management and stock control will be offered.

81. The DFID annual allocation (approximately £250,000) funds the health-care project (resident doctor plus annual dental and optician visits), together with a modest training programme. In 2008, DFID funded a report on economic diversification, and in 2009, British Foreign and Commonwealth Office funding will see the completion of a key recommendation contained in the present report, namely, the facilitation of a sustainable development plan.[1]

82. Since the United Kingdom Overseas Development Administration withdrew expatriate British teachers in the early 1990s, the education sector on Tristan da Cunha has been in decline, and the current standard is considered poor. Pupils leave school at age 16 and tend to work in Government or the fishing sector. They have no opportunity to proceed to further education unless they go abroad. The current staff,

who by their own admission are poorly trained, are all middle-aged and there are no trainee teachers in the pipeline. However, in 2009, a DFID-sponsored education adviser will take up a two-year posting on the island. The Island Council judge that reform and improvement in this sector are key to a successful future.

83. Tristan da Cunha is successfully implementing a number of conservation projects, with help from its partners such as the Royal Society for the Protection of Birds. In 2008, a Society-sponsored conservation adviser arrived on a one-year posting. Overseas Territory Environmental Programme projects include efforts to remove invasive species from uninhabited islands in the Tristan da Cunha group, and also studies on the feasibility of eradicating introduced rodents. Tristan da Cunha also has a Biodiversity Action Plan to help it to meet its commitments under the relevant Convention.

VIII. Future status of the Territory

A. Position of the territorial Government

84. The position of the territorial Government regarding the future status of St. Helena is reflected under section II on constitutional issues.

B. Position of the administering Power

85. In a statement made on 6 October 2008 before the Special Political and Decolonization Committee (Fourth Committee) during the sixty-third session of the General Assembly, the representative of the United Kingdom said, inter alia, that the relationship of her Government with its Overseas Territories was based on partnership, shared values and the right of each Territory to determine if it wished to retain its link to the United Kingdom, where applicable. Her Government had no intention of imposing independence against their will (see A/C.4/63/SR.2).

86. She referred to various constitutional review processes that had been undertaken, aimed at providing a modern constitutional framework to reflect the specific circumstances of each Territory. Provisions relating to good governance, human rights and the roles of the Governor and locally elected politicians had been updated. She stated that the support of her Government for the Territories focused on capacity-building and sustainable development and indicated that the United Kingdom continued to work with the Territories, as appropriate, in areas such as political and economic transparency, security, reduction of vulnerability to natural and non-natural disasters and environmental management.

87. In a paper dated 8 May 2008, sent to the Chair of the Special Committee for circulation at the Pacific regional seminar on decolonization in Bandung, Indonesia later that month, the United Kingdom similarly set out its position,[12] as based on the 1999 white paper entitled "Partnership for progress and prosperity: Britain and the Overseas Territories" (see A/AC.109/1991, annex). The paper also addressed the

[12] The full statement can be found at: http://www.un.org/depts/dpi/decolonization/regional_seminars_statements_08/united_kingdom.pdf.

status of the various constitutional review processes undertaken in the framework of that white paper.

IX. Action by the General Assembly

88. On 5 December 2008, the General Assembly adopted without a vote resolutions 63/108 A and B, based on the report of the Special Committee transmitted to the General Assembly[13] and its subsequent consideration by the Special Political and Decolonization Committee (Fourth Committee) (A/63/408). Section IX of resolution 63/108 B concerns St. Helena. Under the operative paragraphs of that section, the General Assembly:

> "1. *Welcomes* the Territory's continuing constitutional review process, including the related public meetings, and calls upon the administering Power to take into account the previously expressed concerns of Saint Helenians with regard to the right to nationality;
>
> 2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;
>
> 3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;
>
> 4. *Welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena, which is to become operational in 2011-2012, including all required infrastructure."

[13] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23).